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TERMINAL DISCLAIMER TO OBLIVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
54084-62558

In re Application of: Gregg D. Scheller

Application No.: 10/586,017

Filed: October 26, 2006

For: Illuminated Laser Probe with Adjustable Area of Illumination

The owner*, Synergetics Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 12/063,512, filed on August 11, 2006, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 32653

Joseph M. Rolnicki
Signature

Sept. 24, 2009
Date

Joseph M. Rolnicki
Typed or printed name

(314) 552-6286
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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